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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/734,494	12/12/2003	Michael J. Muller	IBM-003	1618

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EXAMINER	
KHANNA, MADHU	

ART UNIT	PAPER NUMBER
2151	

MAIL DATE	DELIVERY MODE
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/734,494	MULLER ET AL.	
	Examiner	Art Unit	
	MADHU KHANNA	2151	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *07 January 2008*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-18 and 26-33* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-18 and 26-33* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *12 December 2003* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1. This communication is in response to Amendment filed 01/07/2008 under 37 C.F.R. §1.111, claims 1, 11, 26 and 27 have been amended, and claims 19-25 have been cancelled. Claims 1-18 and 26-33 remain pending.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1, 11, and 26-27 are rejected under 35 U.S.C. 102(e) as being anticipated by Roskind (Pub. No.: US 2003/0065721).

Regarding claim 1, a method for managing interruptions to a network user, the interruptions being generated by a plurality of senders on a network, the network user having a permanent reception list (e.g. Buddies, 816 of FIG. 8) the method comprising:

modifying a temporary reception list (e.g. Recent Contacts) in response to one of a retrospective activity and a prospective activity (screen names are added to and removed from the Recent Contacts group as IM sessions are opened and closed,

and/or as membership limits are imposed on the Recent Contacts group, [0110]), the permanent reception list and temporary reception list (e.g. Buddies group 816 and Recent Contacts group 812 of FIG. 8) each indicating at least one sender from whom the network user is willing to accept an interruption (e.g. preferences may be set to allow only certain users (e.g., user's included in the subscriber's buddy list) to contact the recipient, [0068]);

receiving an interruption from one of the senders on the network (the recipient receives the instant message from the host, [0085]);

presenting the interruption to the network user if one of the permanent reception list and the temporary reception list (e.g. Buddies group 816 and Recent Contacts group 812 of FIG. 8) includes an entry associated with the one of the senders on the network (acceptance may occur automatically if the sender is included on a buddy list maintained by the recipient, [0086]).

Regarding claim 11, a computer program product for use with a computer system, the computer program product comprising a computer useable medium having embodied therein program code comprising:

program code [0027] for modifying a temporary reception list (e.g. Recent Contacts) of a network user in response to one of a retrospective activity and a prospective activity (screen names are added to and removed from the Recent Contacts group as IM sessions are opened and closed, and/or as membership limits are imposed on the Recent Contacts group, [0110]);

program code [0027] for receiving an interruption from a sender on the network (the recipient receives the instant message from the host, [0085]); and

program code [0027] for presenting the interruption to the network user if one of the temporary reception list and a permanent reception list of the network user (e.g. Recent Contacts group 812 and Buddies group 816 of FIG. 8) includes an entry associated with the sender the temporary reception list and permanent reception list each indicating at least one sender from whom the network user is willing to accept an interruption (acceptance may occur automatically if the sender is included on a buddy list maintained by the recipient, [0086]).

Regarding claim 26, a computing system comprising:

a display screen (e.g. display monitor, [0034]);

a user input device (e.g. keyboard, [0034]); and

a processor (e.g. IM host complex) executing a network user (e.g. subscriber) communications program to manage interruptions (e.g. alert preferences) to a network user [0064], the interruptions being generated by a plurality of senders on a network (client system typically includes one or more client devices, [0053]), wherein each interruption is presented to the network user on the display screen (e.g. a UI that may be displayed by the sender and/or the recipient, [0091]) if one of a permanent reception list and a temporary reception list (e.g. Buddies group 816 and Recent Contacts group 812 of FIG. 8) includes an entry associated with the respective sender the permanent reception list and temporary reception list each indicating at least one sender from

whom the network user is willing to accept an interruption (acceptance may occur automatically if the sender is included on a buddy list maintained by the recipient, [0086]).

Regarding claim 27, this apparatus claim comprises limitations(s) substantially the same as those discussed on claim 1 above, same rationale of rejection is applicable, wherein the method steps further comprise the modules for performing respective function/steps discussed therein, same rationale of rejection is applicable.

Claim Rejections - 35 USC § 103

3. Quotation of 35 U.S.C. §103(a) which forms the basis for all obviousness rejections set forth in this Office action may be found in the previous office action.

4. Claims 2-4, 12, 14, and 28-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Roskind in view of Hayes et al. (U.S. Patent # 7,139,806) (referred to as Hayes hereafter).

Regarding claim 2, Roskind teaches wherein modifying the temporary reception list (e.g. Recent Contacts) comprises adding an entry to the temporary reception list (e.g. screen

names are added to the Recent Contacts group, [0110]); however, although Roskind teaches creating a list of N different screen names based on an associated time [0099] and configuration of the user profile including a calendar, [0104], Roskind does not explicitly disclose adding an entry to the temporary reception list upon determination the time until the occurrence of the prospective activity is less than a predetermined time.

Hayes teaches a determination the time until the occurrence of the prospective activity is less than a predetermined time (desired contact period) (column 8 lines 14-17).

It would have been obvious to one of ordinary skill in the art at the time of the claimed invention to utilize adding a contact to the temporary list based on determining that the time until a prospective activity is less than a predetermined time in the system/method of Roskind as suggested by Hayes in order to provide a reminder to a user of an upcoming event. One of ordinary skill in the art would recognize that, as disclosed by Roskind, many applications that involve instant messaging also include a calendar in which a user can schedule and record events in advance. One would be motivated to combine these teachings because in doing so, when it is time for a particular occurrence, a user will have easy, automatic access to any required contact information without having to spend time obtaining it.

Regarding claim 3, the method of claim 1 wherein modifying the temporary reception list (e.g. Recent Contacts group) comprises removing an entry from the temporary reception list (Roskind: e.g. the least recent IM contact (i.e., oldest IM contact) is

reduced in order or altogether removed from the list, [0100]) upon a determination that the age of the retrospective activity exceeds a predetermined time (Hayes: linger time, column 18-21).

Regarding claim 4, the method of claim 1 wherein the retrospective and prospective activities comprise calendar-based entries (predetermined points in time) established by the user (Hayes: column 8 lines 6-9).

Regarding claim 12, this computer program product claim comprises limitation(s) substantially the same as those discussed on claim 2 above, same rationale of rejection is applicable.

Regarding claim 14, this computer program product claim comprises limitation(s) substantially the same as those discussed on claim 3 above, same rationale of rejection is applicable.

Regarding claim 28, this apparatus claim comprises limitations(s) substantially the same as those discussed on claim 2 above, same rationale of rejection is applicable, wherein the method steps further comprise the modules for performing respective function/steps discussed therein, same rationale of rejection is applicable.

Regarding claim 29, this apparatus claim comprises limitations(s) substantially the same as those discussed on claim 3 above, same rationale of rejection is applicable, wherein the method steps further comprise the modules for performing respective function/steps discussed therein, same rationale of rejection is applicable.

5. Claims 5, 15 and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Roskind in view of Brown et al. (Pub No.: US 2003/0055908) (referred to as Brown hereafter).

Regarding claim 5, as set forth above for claim 1, Roskind discloses the invention substantially as claimed. However, Roskind does not disclose receiving, comparing and presenting an interruption with an urgency value.

Brown teaches the method of claim 1 wherein the step of presenting the interruption further comprises:

receiving an urgency value (priority value) associated with the interruption (message request);

comparing the urgency (priority) value with an interruption threshold value (priority requirement) defined by the network user; and

presenting the interruption (throughput of the message) to the network user (receiving user) if the urgency value exceeds the threshold value (whether the message request meets the priority requirement, [0060]).

It would have been obvious to one of ordinary skill in the art at the time of the claimed invention to utilize an urgency value with an incoming message in the system/method of Roskind as suggested by Brown in order to provide more user specific preferences regarding blocking messages from other clients. One would be motivated to combine these teachings because in doing so a user could receive important messages, while ignoring undesirable ones, rather than blocking all messages when the user is busy.

Regarding claim 15, this computer program product claim comprises limitation(s) substantially the same as those discussed on claim 5 above, same rationale of rejection is applicable.

Regarding claim 30, this apparatus claim comprises limitations(s) substantially the same as those discussed on claim 5 above, same rationale of rejection is applicable, wherein the method steps further comprise the modules for performing respective function/steps discussed therein, same rationale of rejection is applicable.

6. Claims 7 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Roskind in view of Kaminsky et al. (Pub. No.: 2005/0055405) (referred to as Kaminsky hereafter).

Regarding claim 7, although Roskind teaches notification settings (e.g., alerts) [0104], Roskind does not explicitly disclose how a user is notified of an interruption.

Kaminsky teaches the method of claim 1 wherein presenting the interruption (indicating that IM text is available) comprises presenting an alert (visual display) to the network user if one of the permanent reception list and the temporary reception list (buddy list) includes an entry associated with the one of the senders [0043].

It would have been obvious to one of ordinary skill in the art at the time of the claimed invention to utilize an alert, such as visual display, in the system/method of Roskind as suggested by Kaminsky in order to indicate to a user that an IM is available. One of ordinary skill in the art would recognize that methods of alerting a user of an IM are utilized in the instant messaging environment because without an alert, a user would not be aware of an arriving message. One would be motivated to combine these teachings because it further specifies the user alert preferences taught by Roskind and explicitly discloses how a user is notified when a contact wishes to communicate with the user.

Regarding claim 10, the method of claim 7 further comprising providing expanded information (current status) for the one of the senders (someone on his buddy list) to the network user in response to a user request (Kaminsky: hover message, page 6 [0069]).

7. Claims 6, 16 and 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Roskind in view of Kaminsky and in further view of Alexander et al. (US Patent # 6,988,128) (referred to as Alexander hereafter).

Regarding claim 6, Roskind-Kaminsky teach the method of claim 1 further comprising:

generating a generic status message (Kaminsky: participants identified in the "customers" category receive an "out of office" icon, [0068]) if the permanent reception list and the temporary reception list do not include an entry associated with the sender (Kaminsky: determined by classification information of the message sender not being in the recipient's buddy list, [0059]) of the user status request (instant message); and

generating a customized status message (e.g. "bio-haard") if one of the permanent reception list and the temporary reception list (buddy list "friends" category) includes an entry associated with the sender of the user status request (instant message) [0068]. However, although Roskind-Kaminsky teach enabling an IM user to display another user's current status (Kaminsky: [0069]), Roskind-Kaminsky do not explicitly teach receiving a user status request from one of the senders.

Alexander teaches receiving a user status request (detecting in incoming request for instant messaging status for the user) from one of the senders (column 3 lines 60-62).

It would have been obvious to one of ordinary skill in the art at the time of the claimed invention to utilize receiving a user status request from one of the senders in the system/method of Roskind-Kaminsky as suggested by Alexander in order to

maximize the use of the calendar to better serve the user. One would be motivated to combine these teachings because in doing so this information could be used in an automated manner to dynamically determine a calendar owner's availability and dynamically generate an automated response, further simplifying the demands on the user.

Regarding claim 16, this computer program product claim comprises limitation(s) substantially the same as those discussed on claim 6 above, same rationale of rejection is applicable.

Regarding claim 31, this apparatus claim comprises limitations(s) substantially the same as those discussed on claim 6 above, same rationale of rejection is applicable, wherein the method steps further comprise the modules for performing respective function/steps discussed therein, same rationale of rejection is applicable.

8. Claims 8-9, 17-18 and 32-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Roskind-Kaminsky in view of Daniell et al. (Pub. No.: US 2004/0068545) (referred to as Daniell hereafter).

Regarding claim 8, Roskind-Kaminsky teach the method of claim 7, wherein the alert comprises a signal that an interruption has been requested, and an identification of the at least one of the senders (indication of the message sender) is stored in a table (distinct folder) for inspection by the user (Kaminsky: [0042]). However, Roskind-Kaminsky do not explicitly disclose the alert including a portion of the message.

Daniell teaches at least one portion of an initial message from one of the senders (received message) to be previewed by the user [0059].

It would have been obvious to one of ordinary skill in the art at the time of the claimed invention to utilize previewing a portion of a received message in the system/method of Roskind-Kaminsky as suggested by Daniell in order to provide information to the receiver regarding the content of the message so that the receiver can decide if he/she would prefer to read the entire message at that time or a later time. One would be motivated to combine these teachings because it would enhance the personalization and preferences of a user by giving the user more options as to how he/she receives messages, without increasing complexity.

Regarding claim 9, wherein the alert comprises at least one of a portion of an initial message from the one of the senders (Daniell: “Preview" window, page 5 [0059]) and an identification of the one of the senders (Kaminsky: indication of the message sender, page 3 [0042]).

Regarding claim 17, this computer program product claim comprises limitation(s) substantially the same as those discussed on claims 7 and 9 above, same rationale of rejection is applicable.

Regarding claim 18, this computer program product claim comprises limitation(s) substantially the same as those discussed on claim 10 above, same rationale of rejection is applicable.

Regarding claim 32, this apparatus claim comprises limitations(s) substantially the same as those discussed on claim 7 and 9 above, same rationale of rejection is applicable, wherein the method steps further comprise the modules for performing respective function/steps discussed therein, same rationale of rejection is applicable.

Regarding claim 33, this apparatus claim comprises limitations(s) substantially the same as those discussed on claim 10 above, same rationale of rejection is applicable, wherein the method steps further comprise the modules for performing respective function/steps discussed therein, same rationale of rejection is applicable.

9. Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Roskind in view of Malik (U.S. Patent # 7,096,255) (referred to as Malik hereafter).

Regarding claim 13, Roskind teaches the computer program product [0027] of claim 11 wherein the program code for modifying a temporary reception list (Recent Contacts) further comprises program code for adding an entry to the temporary reception list (e.g. screen names are added to the Recent Contacts group, [0110]; However, Roskind does not explicitly teach adding an entry upon a determination that the time since the occurrence of the retrospective activity is less than a predetermined time.

Malik teaches adding (include) an entry (contact alias) to the temporary reception list upon a determination that the time since the occurrence of the retrospective activity is less than a predetermined time (limited period of time) (column 7 lines 46-48).

It would have been obvious to one of ordinary skill in the art at the time of the claimed invention to utilize adding a contact to the temporary list upon determining that the time since an event is less than a predetermined time in the system/method of Roskind as suggested by Malik in order to provide continued access to the contacts with whom the user has recently been concerned with. One of ordinary skill in the art would recognize that a specified time period is an obvious alternative to adding or removing a contact from the temporary list based on a maximum number of contacts allowed, as taught by Roskind, since a user may accumulate many recent contacts at a given time, but still desire to communicate with the oldest contact. One would be motivated to combine these teachings because in doing so a contact would be maintained on the users list during a time in which it is likely that the user will need or want to communicate with the contact.

Response to Arguments

12. Regarding claims 1, 11, 13 and 27, it is argued that the applied reference does not teach or suggest every element of Applicants' claimed invention. Applicant's arguments have been considered but are moot in view of the new ground(s) of rejection necessitated by the Applicant's amendment(s).

13. Regarding claims 2-10, 12, 14-26 and 28-33, it is argued that the applied references do not teach the claimed limitations as amended. Applicant's arguments have been considered but are moot in view of the new ground(s) of rejection.

14. Regarding claim 26, it is argued that this claim recites similar language to representative claim 1; as such the same response is applicable.

15. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, THIS ACTION IS MADE FINAL. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(s).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MADHU KHANNA whose telephone number is (571)270-3629. The examiner can normally be reached on Monday-Thursday 8:30-6.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Follansbee can be reached on 571-272-3964. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/M. K./
Examiner, Art Unit 2151

/John Follansbee/

Supervisory Patent Examiner, Art Unit 2151